

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION NO.
)	3:08cr209-MHT
CARLOS L. BROOKS)	(WO)

OPINION AND ORDER

On November 19, 2010, a jury found defendant Carlos L. Brooks not guilty only by reason of insanity. After holding a "dangerousness hearing" on December 14, 2010, the court, on December 16, 2010 committed Brooks to the custody of the Attorney General for further action in accordance with the provisions of 18 U.S.C. § 4243(e) & (f). Brooks was subsequently transferred to the Bureau of Prison's Federal Medical Center in Rochester, Minnesota (FMC Rochester).

On April 22, 2011, counsel for Brooks filed a motion asking the court to "conduct a hearing ... to determine whether Mr. Brooks should be discharged from FMC

Rochester." On April 25, the court conferred with counsel for both the government and Brooks to discuss the motion. Counsel all agreed that, before the court could address the concerns of Brooks's care and treatment at FMC Rochester and, more specifically, whether his continued commitment is necessary, the court needed to hear from FMC Rochester.

Accordingly, it is ORDERED that the Director of the Bureau of Prison's Federal Medical Center in Rochester shall provide the court, on or before June 3, 2011, a report in writing of the findings, opinions, and conclusions of the psychiatric staff at Bureau of Prison's Federal Medical Center in Rochester, Minnesota regarding whether defendant Carlos L. Brooks "has recovered from his mental disease or defect to such an extent that his release, or his conditional release under a prescribed regimen of medical, psychiatric, or psychological care or treatment, would no longer create a substantial risk of bodily injury to another person or

serious damage to property of another." 18 U.S.C.
§ 4243(f).

The clerk of the court is to furnish a copy of this
opinion and order to the Director of the Bureau of
Prison's Federal Medical Center in Rochester, Minnesota.

DONE, this the 2nd day of May, 2011.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE